IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.240 OF 2006
IN
WRIT PETITION NO.2175 OF 2002

Mrs.Dhanashri Drshrat Apraj .. Appellant
V/s
M/s.Padmarag CHS Ltd.& Ors. .. Respondents

Mr.Uday Warunjikar for the Appellant.
Mr.S.G.Deshmukh i/by Mr.D.R.Talankar for Res Nos.1 & 2.

CORAM: DR.S.RADHAKRISHNAN &
S.J.VAZIFDAR, JJ.

DATE : 19.04.2006.

P.C.:

1. Heard the learned Counsel for the Appellant and the learned Counsel for Respondent Nos.1 and 2. By this Appeal, the Appellant who is the original Respondent No.4 is challenging the order of the learned Single Judge dated 20.6.2005 wherein the learned Single Judge has dismissed the Petition filed by the Respondent No.1. In the said order dated 20.6.2005 the learned Single Judge has categorically observed that as far as expulsion of Respondent No.4 (who is Appellant herein) is concerned the requisite statutory notice of 30 days was not given. Under these circumstances, the expulsion of Respondent No.4 (present Appellant) was set aside by the learned Single Judge on a technical ground of insufficiency of duration of notice. Under these circumstances, we do not find that the Appellant is aggrieved in any manner. The Appellant has in fact succeeded before the learned Single Judge. It is the grievance of the learned Counsel for the Appellant that the learned Single Judge has observed that the Petitioner viz.the Respondent No.1 Society is free to take appropriate action against the Respondent No.4. We

may note here that even if the aforesaid observations were not to be there, the Respondent No.2 is always at liberty to take appropriate action. Appeal is devoid of merits. Appeal stands dismissed.

(DR.S.RADHAKRISHNAN, J.)

(S.J.VAZIFDAR, J.)